

LITTLER MENDELSON, P.C.  
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Elena Paraskevas-Thadani (EP-7758)  
Attorneys for Defendants  
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UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

MARY ROZELL,

Plaintiff,

-against-

COURTNEY ROSS-HOLST, an individual,  
ANDCO, LLC, a corporation, and NEIL  
PIROZZI, an individual,

Defendants.


05 CV 2936 (JGK)(JCF)

**DECLARATION OF  
ELENA PARASKEVAS-THADANI**

Elena Paraskevas-Thadani hereby declares under penalty of perjury as follows:

1. I am an attorney admitted to practice before this Court, and am an associate at Littler Mendelson, P.C., counsel for Defendants in the above-captioned action. I submit this declaration and the documents annexed hereto in support of Defendant's Opposition to Plaintiff's Motion to Dismiss Counterclaims.
2. Annexed hereto as Exhibit 1 is a true and accurate copy of the Declaration of defendant Courtney Ross-Holst.

Date: New York, New York  
June 20, 2005

  
Elena Paraskevas-Thadani (EP-7758)  
LITTLER MENDELSON  
A Professional Corporation  
885 Third Avenue, 16th Floor  
New York, NY 10022.4834  
212.583.9600

Attorneys for Defendants

# **EXHIBIT 1**

LITTLER MENDELSON, P.C.  
A. Michael Weber, Esq. (MW-8760)  
Elena Paraskevas-Thadani (EP-7758)  
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UNITED STATES DISTRICT COURT  
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COURTNEY ROSS-HOLST, an individual,  
ANDCO, LLC, a corporation, and NEIL  
PIROZZI, an individual,

Defendants.

05 CV 2936 (JGK)(JCF)

**DECLARATION OF  
COURTNEY ROSS-HOLST  
IN OPPOSITION TO  
PLAINTIFF'S MOTION TO  
DISMISS**

I, Courtney Ross-Holst, declare upon personal knowledge and under penalty of perjury, that the following is true and correct:

1. I am the Chairperson of ANDCO, LLC, a corporate defendant in the above-captioned action. I have also been individually named as a defendant in this case.
2. Plaintiff Mary Rozell (hereinafter "Rozell" or "Plaintiff") worked for ANDCO as the Director of Art Collection. In that capacity, Rozell was responsible for managing a valuable art collection.
3. After Rozell was terminated, I received a proposal from Sotheby's auction house offering to sell certain pieces of my private art collection at a public auction. One of the pieces featured in the catalog hangs in my bedroom.

4. Only then did I realize that Rozell invited someone from the auction house to enter the private areas of my residence to view and photograph my artwork, without my permission. This would have constituted grounds for Rozell's termination.

5. Had Rozell sought permission to bring a representative from an auction house to view my private art collection, I would have denied it. If I wanted to sell a piece of art, I would have done so through a discreet private sale, and not via auction. As Rozell knows, I have always been very discreet about the works in my collection, as a simple matter of security. For these reasons, I would not have permitted auction house representatives access to my collection. Along these lines, to protect my privacy, I require all employees and consultants with whom I work to sign non-disclosure agreements.

6. My counterclaim for trespass against Rozell is based on her blatant disregard for my interests, and an attempt to vindicate my rights to keep people out of the private areas of my residence.

Date: New York, New York  
June 20, 2005

**ELAINE STONE**  
Notary Public, State of New York  
No. 4788003  
Qualified in Suffolk County  
Commission Expires July 31, 2009

Sworn to before me on the 20  
day of June, 2005

Elaine Stone  
Notary Public

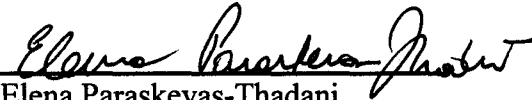
Courtney Ross Holst  
Courtney Ross Holst

### CERTIFICATE OF SERVICE

I hereby certify that on June 20, 2005, I electronically filed the foregoing with the Clerk of the District Court using the CM/ECF systems, which sent notification of such filing to the following:

**Kathleen Peratis, Esq.**  
**Mark R. Humowiecki, Esq.**  
Attorney for Plaintiff  
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Elena Paraskevas-Thadani

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